

MEETINGS TO DATE 16
NO. OF REGULARS 14
NO. OF SPECIALS 2

Page 355

LANCASTER, NEW YORK
JULY 21, 1975

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 21st day of July, 1975 at 8:00 P.M. and there were

PRESENT: LEO N. WEIMER, SUPERVISOR
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: JOSEPH R. BARNHARDT, COUNCILMAN

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
J. MICHAEL KELLEHER, DEPUTY TOWN ATTORNEY
JOHN F. LUME, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF

OFFICIAL REPORTS:

The Town Clerk reported that the following department of the Town of Lancaster has filed with him their Monthly Report as follows:

DEPARTMENTMONTH OR MONTHS OF

Dog Warden

June, 1975

COMMITTEE REPORTS:

Councilman Berent, for the Fire Committee, requested the Town Clerk to send out letters to the four Fire Companies with which the Town of Lancaster contracts reminding them of the Annual Inspection and General Information Meetings of the Town Board.

Supervisor Weimer read a letter dated July 18, 1975 from Clarence Rainess & Co. notifying the Board that the anticipated date for completion of the National Fuel Gas feasibility study is August 11, 1975.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

Page 357

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board,
held on July 7, 1975, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, a certain on-site modification in the construction of the
Lancaster Public Library has resulted in the necessity of a change-order, and

WHEREAS, the Town of Lancaster's architect has recommended such
change-order be accepted by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute the following change-order:

C-8	Flashing of all vent stacks with .018" stainless steel	Add	\$ 110.00
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The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon Unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, Inc. has recommended
the appointment of certain individuals to the Reserve Volunteer Ambulance
Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are appointed
to the Reserve Volunteer Ambulance Corps of the Town of Lancaster, effective
July 22, 1975, at an annual salary of \$1.00:

Ruth G. Walker
Lee F. Skinner
Patti A. Guzinski
Howard E. Rightnour
Carl L. Mosandel
Peter M. Strickland
Michael C. Miller
Robert G. Murphy

Arthur A. Gross
Richard D. Buchholz
Evelyn M. Badding
Douglas W. Everts
David G. Deutschlander
Ruth A. Stroka
Judith A. Lyon
Sara A. Sullivan

and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed
to take whatever action necessary with the United States Fidelity and Guaranty
Company to provide Workmen's Compensation Insurance to cover the foregoing
members of the Town of Lancaster Reserve Volunteer Ambulance Corps.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, the New York State Legislature has enacted the dates and hours
for the 1975 Political Calendar for Primary, Registration, and General
Election Days

NOW, THEREFORE, BE IT

RESOLVED, that during the year 1975 the Election Inspectors of the Town
of Lancaster be paid as follows:

Primary Day (Polls open 9 hours)	\$ 20.00
Registration Days:	
1st Day (Polls open 7 hours)	15.50
2nd Day (Polls open 10 hours)	22.00
3rd Day (Polls open 7 hours)	15.50
Election Day (Polls open 15 hours)	33.00
For attending Election Inspectors School	5.00
(\$5.00 for each school)	

and

BE IT FURTHER

RESOLVED, that the Chairman of the Inspectors at each Polling Place be
paid an additional ten (\$10.00) dollars for each day of Election and for
the session of Registration.

The question of the adoption of the foregoing resolution was duly put to
a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon ^{duly} unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric & Gas Corporation has submitted, a proposal for improvement of street lighting on Pleasant View Drive and Stony Road within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the Lighting Committee of the Town Board, after investigation, review and consideration, has recommended the said installations as contained in said proposal,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to make the following installations within Consolidated Lighting District No. 1 of the Town of Lancaster:

Pleasant View Drive

Install 3 - 7000 lumen mercury lamps
@ \$45.00 ea. (Poles 118,120,122) \$ 135.00

Annual Increase \$ 135.00

Stony Road (Intersection of Walden Avenue)

Install 1 - 11000 lumen mercury lamp
@ \$55.00 ea. (Pole 42, Line 1853) 55.00

Annual Increase 55.00

TOTAL ANNUAL INCREASE \$ 190.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, Edward V. Mazur has served as Town Justice of the Town of Lancaster since January 1, 1960, and

WHEREAS, he has tendered his resignation, effective August 1, 1975, in order to devote his full efforts to his campaign for Erie County Family Court Judge,

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Town Justice Edward V. Mazur, effective August 1, 1975, be and hereby is accepted with the sincere regret of the entire Town Board and that Town Justice Mazur be and hereby is extended the thanks and appreciation of the Town Board on behalf of the Town of Lancaster for his faithful and devoted service to the Town of Lancaster since January 1, 1960, and

BE IT FURTHER

RESOLVED, that the Town Board extends its sincere best wishes to Justice Mazur in all his future endeavors.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, Town Justice Edward V. Mazur has tendered his resignation as
Town Justice, effective August 1, 1975, and

WHEREAS, said resignation will leave the Justices' Court of the Town
of Lancaster seriously undermanned, impairing the orderly process of the
Court unless a replacement is made, and

WHEREAS, James Michael Kelleher has resigned as Deputy Town Attorney,
effective August 1, 1975, and

WHEREAS, the said James Michael Kelleher possesses all of the
qualifications for the position of Town Justice of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that James Michael Kelleher be and hereby is appointed to
the position of Town Justice of the Town of Lancaster, effective August 1, 1975,
at a salary as set forth in the Schedule of Salaries for said position, to serve
until a successor shall be elected at the next General Election, and

BE IT FURTHER

RESOLVED, that the resignation of James Michael Kelleher as Deputy
Town Attorney be and hereby is accepted, effective August 1, 1975.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duly~~
The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, by letter of July 7, 1975, the Lancaster Emergency Ambulance Service Advisory Board has recommended the purchase of a yearly service contract with L.J. Raymart, Inc. regarding maintenance of the M.E.R.S. radio system presently installed in the Town ambulance,

NOW, THEREFORE, BE IT

RESOLVED, that a yearly service contract with L.J. Raymart, Inc. for maintenance of the M.E.R.S. radio system installed in the ambulance presently in service be and hereby is authorized, at a cost not to exceed \$75.00 per year.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, the Public Service Commission has held a hearing in Albany, New York, on July 15, 1975, relative to the question of whether a fuel adjustment should be made applicable to outdoor lighting, street and highway lighting and special municipal contracts, including traffic lights where applicable, in the application of New York State Electric & Gas Corporation for an electric rate increase, and

WHEREAS, the staff of the Public Service Commission has recommended that the most recent electric rate increase sought by the New York State Electric & Gas Corporation be made applicable to outdoor lighting, street and highway lighting and special municipal contracts including traffic lights, and

WHEREAS, outdoor, street and traffic lighting comprise a class of service which is essential to the safety of life and property, and

WHEREAS, rate increases in the category of special lighting districts and municipal contracts constitute a cheaper form of electrical use in that such uses are at non-peak demand periods, and

WHEREAS, such rate increases would add greatly to the local tax burden,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster record its opposition to the recommendation of the staff of the Public Service Commission that the most recent rate increase sought by the New York State Electric & Gas Corporation be made applicable to outdoor lighting, street lighting and special municipal contracts, including traffic lights, and

BE IT FURTHER

RESOLVED, that the Public Service Commission is hereby strongly urged to hold additional public hearings on this matter, including one in Buffalo, New York, so that customers affected will have a chance to voice their opposition, and

BE IT FURTHER

RESOLVED, that a copy of this resolution be immediately forwarded by the Town Clerk to the Public Service Commission, citing Public Service Commission Case No. 26763, to State Senator Volker and to State Assemblyman Graber.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 2252 to 2309 Incl.	\$167,557.02
Special District Funds	No. 34 to 38 Incl.	\$ 90,009.92
Part Town Funds	No. 195 to 201 Incl.	\$ 91,282.03
Highway Funds	No. 511 to 531 Incl.	\$134,425.30
Trust & Agency Funds	No. 75 to 80 Incl.	\$ 30,033.38
Ambulance Capital Reserve	No. 17 to 17 Incl.	\$ 8,900.00
Federal Revenue Sharing	No. 96 to 100 Incl.	\$ 38,318.42
Capital Fund	No. 111 to 120 Incl.	\$441,619.49

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 21, 1975

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ , WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
76	Harold J. Knittel, Jr.	5367 Genesee Street	EX. REB. FR. SING. DWLG.
77	Michael Gandolph	730 Ransom Road	ER. FR. BRZWY.
78	Daniel Manhardt	533 Ransom Road	ER. FR. PVT. GAR.
79	Robert Engelhart	442 Town Line Rd.	ER. FR. SING. DWLG. PVT. GAR.
80	Wm. Korthals	6 Candice Court	ER. CHAIN LINK FENCE
81	Mike Ponvert	641 Harris Hill	ER. FR. PVT. GAR.
82	Charles Burger	1091 Ransom Rd.	ER. FR. STRG. SHED
83	Gerald Yost	40 Kennedy Court	ER. ALUM. STRG. SHED
84	Charles McGuire	1264 Town Line Rd.	ER. FR. STRG. SHED

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	WAS ABSENT
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 21, 1975

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Mrs. Albert DiGiulio - Request Lower Speed Limit - Pleasant View Drive

On May 30, 1975 the New York State Department of Transportation acknowledged receipt of the Town Board's request for an evaluation and feasibility study and indicated that they will investigate the request as their caseload permits.

2. Utilities - Feasibility Study

At the Town Board meeting of July 21, 1975 the Supervisor presented a letter from Clarence Rainess & Company informing the Board that the anticipated presentation date for this feasibility study is August 11, 1975.

3. Legislation Authorizing 1 percent Utility Tax

In view of the adjournment of the current session of the New York State Legislature, the Town Clerk was directed to remove this item from the future Agendas of the Town Board.

4. Walden Pond Park - Federal Assistance Application

On June 3, 1975 the Town Clerk notified Congressman Kemp of this Town Project and asked for his assistance in obtaining Federal Aid.

PERSONS ADDRESSING THE TOWN BOARD:

Mr. Edwin Beck, 2 Matthews Drive, Lancaster, New York, and Mrs. Dawn Marie Schaefer, 20 Kennedy Court, Lancaster, New York, spoke with the Supervisor and expressed their frustrations with the ever increasing utility tax bills, and the inaccessibility and apparent unresponsiveness of the Public Service Commission to the needs of the public.

COMMUNICATIONS:DISPOSITION

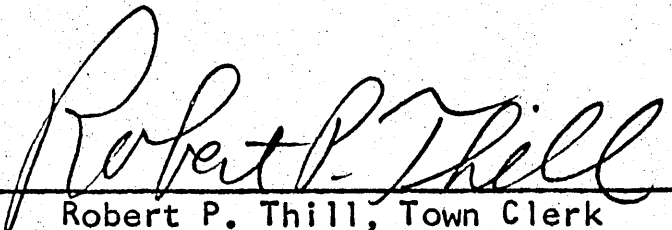
272. Town Clerk to Town Board - Resume of actions taken in response to resolutions and directives of July 7, 1975.	R & F
273. Recreation Director and Member, Recreation Commission to Town Board - Notification - Line budget transfer - Gas - Highway Department.	Supervisor
274. Secretary, Emergency Ambulance Service Advisory Board to Town Board - Recommendation - Purchase of yearly contract with L. J. Raymart, Inc. for maintenance of M. E. R. S. radio system.	R & F
275. Edward Mazur, Town Justice to Town Board - Resignation as Town Justice effective August 1, 1975.	R & F
276. Ronald P. Bennett, Legislator to Town Board - Request support in opposing utility rate increases.	R & F
277. Director, Office of Public Health Education and Information to Town Clerk - Notification - Public Hearing on amend- ment to No Smoking Law - August 6, 1975.	R & F
278. Highway Supt. to Town Board - Notification - Receipt of Sweeper from Walter M. Roberts Ent. Inc.	Supervisor
279. State Board of Equalization & Assessment to Supervisor - Notification - Tentative special franchise assessments for 1975 Assessment Roll.	Assessor Town Attorney
280. Janet Mrozek to Town Board - Request Leave of Absence - September 22 to September 26, 1975.	Town Justices (2)
281. Secretary, Emergency Ambulance Service Advisory Board to Town Board - Request - New Garage Door - Ambulance.	Police and Safety Comm.
282. Highway Supt. to Town Board - Notification - Chipper received by Highway Dept.	Supervisor
283. J. Michael Kelleher to Town Board - Resignation as Deputy Town Attorney.	R & F
284. Grever & Ward, Inc. to Town Board - Recommendation - Approval of Tennis Court Renovation - Stanley J. Keysa Town Park.	Recreation Commission Recreation Committee
285. Chairman, "The Little Red School House" Committee to Town Board - Request long term lease for rental of "The Little Red School House" by Lancaster Historical Society.	Town Attorney

ADJOURNMENT:

ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 8:40 P.M. out of respect to:

CLIFFORD KRYMAN

Signed


Robert P. Thill, Town Clerk